

Attorney Docket No. 077153-0020

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David J. Kolacz et al.

Application No.: 10/692,270

Confirmation No.: 7706

Filed On: October 23, 2003

Examiner: Dinh Q. Nguyen

Art Unit: 3752

For: Pivoting Fluid Conduit Joint and One-Way Brake

**RESPONSE TO OFFICE ACTION (*Ex parte Quayle*) DATED OCTOBER 31, 2007**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is further in response to the Office Action (*Ex parte Quayle*) mailed on October 31, 2007. The present application is in condition for allowance except that the present application is a reissue application of U.S. Patent No. 6,305,621, which was expired for delayed payment of the maintenance fee. Applicant's Petition to Accept Unintentionally Delayed Payment of Maintenance Fee on an Expired Patent was granted March 13, 2008. A copy of the granted Petition is enclosed.

CHI99 49562061.077153.0020

Atty Docket No. 077153-0020  
U.S. Application No. 10/692,270  
Filed: October 23, 2003

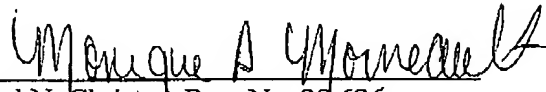
Page 2

Applicants respectfully submit that the subject application is now in condition for issuance. Please charge any extension fees or credit any overpayment required for this response to Deposit Account No. 13-0206.

Respectfully submitted,

Date: March 17, 2008

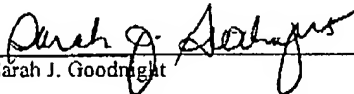
By:

  
Daniel N. Christus, Reg. No. 29,626  
Monique A. Morneault, Reg. No. 37,893  
Customer No.: 1923  
McDermott Will & Emery LLP  
227 West Monroe Street  
Chicago, Illinois 60606-5096  
312-984-7689

---

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being sent by facsimile to Examiner Dinh Q. Nguyen at 571-273-4907 on March 17, 2008

  
Sarah J. Goodright

CHI99 49562061.077153.0020



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

LATHROP & CLARK LLP  
740 REGENT STREET SUITE 400  
P.O. BOX 1507  
MADISON WI 53701-1507

**COPY MAILED**

MAR 13 2008

**OFFICE OF PETITIONS**

In re Patent No. 6,305,621 :  
Issue Date: October 23, 2001 :  
Application No. 09/516,076 :  
Filed: March 1, 2000 :  
Attorney Docket No. TASKFOR-11 :

ON PETITION

This is a corrected decision on the petition under 37 CFR 1.378(c), filed May 14, 2007, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent. Consequently, the decision mailed November 19, 2007 is hereby vacated.

The petition is **GRANTED**.

This patent expired on October 23, 2005 for failure to pay the 3-½ year maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362 (e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. In accordance with 37 CFR 1.34(a), the signature appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts. However, if petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence regarding this application file will be directed solely to the address of record until otherwise instructed.

It is not apparent whether the statement of unintentional delay was signed by a person who would have been in a position of knowing that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.378(c) was unintentional. Nevertheless, in accordance with 37 CFR 10.18, the statement is accepted as constituting a certification of unintentional delay. However, in the event that petitioner has no knowledge that the delay was unintentional, petitioner must make such an inquiry to ascertain that, in fact, the delay was unintentional. If petitioner discovers that the delay was intentional, petitioner must so notify the Office.

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

US Patent No. 6,305,621


Page 2

In view of this decision, the renewed petition filed January 18, 2008 is dismissed as moot.

There was no \$400 petition fee charged to petitioner's deposit account and nor is one due.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

The patent file is being forwarded to Files Repository.



April M. Wise  
Petitions Examiner  
Office of Petitions

cc: DANIEL CHRISTUS  
MCDERMOTT, WILL & EMERY, LLP  
227 WEST MONROE STREET  
54<sup>TH</sup> FLOOR  
CHICAGO, IL 60606-5096